

**Remarks/Arguments:**

Claims 1-15 are pending. Claims 1-11 stand rejected. Claims 12-15 are allowed.

Applicants wish to thank the Examiner for the opportunity to discuss the claims and the references with him on September 3, 2004, and for his helpful suggestions.

**Section 103 Rejections:**

Claims 1-11 have been rejected as being obvious in view of Chen, Matteson and Nagaya. Applicants respectfully submit that this rejection is overcome for the reasons set forth below.

Amended claim 1 now includes features which are not suggested by the cited references, namely:

- A method of adaptively **determining the exposure time and frame rate for each frame** captured by an image capture system . . .
- i) if the measured spatial displacement of the fastest moving object exceeds a maximum desired displacement, **calculating a new frame rate**; and
- j) **setting the frame rate for a subsequent image frame to the new frame rate.**

Basis for amended claim 1 may be found, for example, in allowed claim 13, which provides **a method of adaptively determining the exposure time and frame rate for each frame of an image capture system.**

The Office Action, at page 2, states that Chen discloses a method of adaptively determining the exposure time of an image, in order to compensate for the motion of an object between image frames. The Office Action at page 3 states, however, that the Chen does not explicitly detail un-smearing procedures and does not disclose setting of an exposure time for a subsequent image frame.

The Office Action also states that Matteson discloses improving the quality of a picture based on the camera exposure time. Matteson also discloses adjusting exposure time, in order to improve the quality of an image in a frame.

The Office Action further states, at the bottom of page 3, that Chen does not show detailed steps of how to obtain the speed of a moving object based on measuring spatial displacements between two image frames.

At page 4 of the Office Action, it is stated that Nagaya discloses measuring spatial displacements between two image frames for the same moving object. Next, Nagaya determines the fastest moving object in a scene from the measured spatial displacement, and calculates the speed of the fastest moving object.

Applicants respectfully submit that neither Chen, Matteson, nor Nagaya disclose the newly added features of amended claim 1, namely, that **"if the measured spatial displacement of the fastest moving object exceeds a maximum desired displacement,**

then a step of **calculating a new frame rate** is provided. Moreover, neither reference discloses the step of **setting the frame rate for a subsequent image frame to the newly calculated frame rate**.

Favorable reconsideration is requested for amended claim 1.

Although not the same, claim 6 has been amended to include features similar to amended claim 1. Amended claim 6 is, therefore, not subject to rejection in view of the cited references for the same reasons set forth for amended claim 1.

Claim 7, which has not been amended, includes a method for **adaptively determining the frame rate for each frame** captured by an image capture system. Claim 7 includes the step of **"if the object displacement exceeds a maximum desired displacement, calculating a new frame rate"**. Claim 7 further includes the step of **setting the frame rate for a subsequent image frame to the new frame rate**.

None of the cited references discloses the features of calculating a new frame rate, if the object displacement exceeds a maximum desired displacement. Furthermore, none of the cited references discloses the feature of setting the frame rate for a subsequent image frame to the new frame rate. Favorable reconsideration is requested for claim 7.

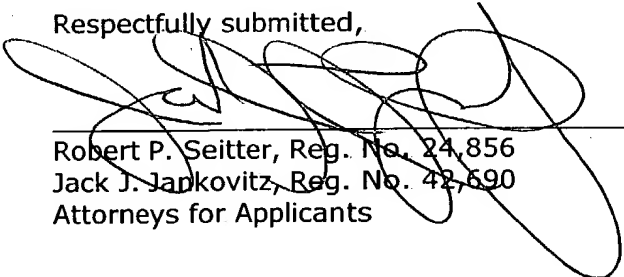
Dependent claims 2, 3, 4 and 5 depend from amended claim 1, dependent claims 8-11 depend from claim 7 and, therefore, are not subject to rejection in view of the cited references for at least the same reasons set forth for amended claim 1.

Claims 12-15 have been allowed.

#### Conclusion

Claims 1-11 are in condition for allowance. Claims 12-15 have been allowed.

Respectfully submitted,



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September 7, 2004

A large, stylized handwritten signature in black ink is written over the date line and extends upwards into the text area.

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